

Town Board Minutes

September 2, 2014

Meeting No. 25

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 2nd day of September 2014 at 7:00 P.M. and there were

PRESENT: JOHN ABRAHAM, COUNCIL MEMBER
MARK AQUINO, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
DINO FUDOLI, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
JOHN DUDZIAK, TOWN ATTORNEY
JEFFREY SIMME, CODE ENFORCEMENT OFFICER
GERALD GILL, CHIEF OF POLICE
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES
JOHN TROJANOWSKY, EXEC. DIR. YOUTH BUREAU
MARK LUBERA, INTERIM DIRECTOR OF PARKS,
RECREATION & BUILDINGS

EXECUTIVE SESSION:

AT 8:51 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER RUFFINO AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation and a contractual matter.

At 9:10 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSONS ADDRESSING TOWN BOARD:

Beutler, Daniel, spoke to the Town Board on the following matters:

- Subdivision planned at 00 & 5345 William Street – Fairway Hills.
- Sale of property at 321 Columbia Avenue.

Carwell, Liz, spoke to the Town Board on the following matter:

- Concerns/problems regarding limousines and buses idling at a business located at 3568 Walden Avenue. Other possible code violations were mentioned.

Chowaniec, Lee, spoke to the Town Board on the following matters:

- Temporary assignment of Mark Lubera in Recreation and Forestry Department.
- 339Y Condominium status – comments/questions.

Frantz, Chris, spoke to the Town Board on the following matter:

- Concerns about a dangerous dog in the Village of Depew and Dog Control office.

Fronczak, Mike, spoke to the Town Board on the following matters:

- Setting of Public Hearing for rezone petition for property at 00 & 5345 William Street.
- Granting of 30 day notification for liquor license to business at 6363 Transit Road.
- Manhole construction in a driveway.
- Storage facility.
- State grant for highway building and other state grants.
- Contract with the Village of Lancaster for building inspection services.

Hangauer, Carmen, spoke to the Town Board on the following matter:

- Questions regarding patio homes and condominium status.

Hangauer, Dave, spoke to the Town Board on the following matters:

- Suggests forming a Public/Private partnership in terms of development.
- Asked if the town has ever done a traffic study.

Kazmierczak, Tom, spoke to the Town Board on the following matter:

- Traffic concerns and sewer concerns related to development on William Street.

Symer, Donald, spoke to the Town Board on the following matters:

- Seqr Declaration Re: property at 321 Columbia Avenue.
- Seqr Declaration Re: 00 & 5425 William Street development.
- Public Hearing Re: Rezone petition for property at 00 & 5425 William Street.
- Number of re-roof permits issued.

Wehner, Mike, spoke to the Town Board on the following matters:

- He wants to know why there is 100' of frontage in the Roseland Subdivision without a sidewalk.
- Comments about handicap ramps in subdivision.
- Retention pond in the Roseland Subdivision.

PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AQUINO TO WIT:

RESOLVED, that the minutes of the Joint Meeting of the Town Board and the Planning Board held August 18, 2014 and the Regular Meeting of the Town Board held August 18, 2014 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 2, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk
by the Assistant to the Supervisor, to wit:

Claim No. 36907 to Claim No. 37038 Inclusive

Total amount hereby authorized to be paid: \$1,259,865.08

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 2, 2014

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:
(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.
(CSW) = Conditional sidewalk waiver
(V/L) = Village of Lancaster

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
23185		Thomas & Susan Larkin	72 Wayne St	Re-Roof	(V/L)
23186		Antonio & Melissa Mercado	92 Kennedy Ct	Er. Fence	
23187		Keri A Shaw	44 Garfield St	Re-Roof	(V/L)
23188		Bowen Road Acquisition LLC	3 Dover Ct	Er. Dwlg.-Sin.	
23189		Bowen Road Acquisition LLC	8 Dover Ct	Er. Dwlg.-Sin.	
23190		Janet Schnettler	15 Stephens Ct	Er. Shed	(V/L)
23191		Steven A Sirianni	61 Tomahawk Trl	Re-Roof	
23192		Eric S Feldman	48 Madison St	Re-Roof	(V/L)
23193		Belle Marie Kozak	358 Seneca Pl	Er. Fence	
23194		Stockmohn Co. Inc.	1932 Como Park Blvd	Re-Roof	(V/L)
23195		Charles E Skillen III	11 Devonshire Ln	Re-Roof	
23196		Thomas & Elizabeth Murphy	90 Impala Pky	Re-Roof	
23197		Daniel & Peggy Gardinier	25 Wilkshire Pl	Er. Porch	(V/L)
23198		Michael Marranca	56 Wilma Dr	Re-Roof	(V/L)
23199		Exterior Home Improvement	52 Pleasant View Dr	Re-Roof	
23200		Frederick Kaws Jr.	11 Ashley Dr	Re-Roof	(V/L)
23201		Sturdi Built Sheds LLC	1 Lucia Ct	Er. Shed	
23202		Paul Blatner	134 Irwinwood Rd	Inst. Generator	(V/L)
23203		Paul Blatner	269 Broezel Ave	Inst. Generator	
23204		Catherine Wedge Trust	25 Old Post Rd	Er. Shed	
23205		Mark & Kimberly Saunders	656 Schwartz Rd	Re-Roof	
23206		PJK Roofing Inc.	15 Michael Anthony Ln	Re-Roof	
23207		PJK Roofing Inc.	17 Michael Anthony Ln	Re-Roof	
23208		Paul & Linda Hoppy	1 Walnut Creek Trl	Er. Shed	
23209		Thomas & Paula Baritot	2 Ryan St	Re-Roof	
23210		Susan Hartwig	85 Grant St	Er. Fence	(V/L)
23211		Stephen & Karen Camiolo	4 Willow Ridge Ln	Er. Shed	
23212		Sahlems Roofing and Siding Inc	34 Doris Ave	Re-Roof	(V/L)
23213		Sahlems Roofing and Siding Inc	29 Kennedy Ct	Re-Roof	
23214		Turkmasters Contracting LLC	5231 Genesee St	Re-Roof	
23215		Tom Greenauer	5087 Transit Rd	Dem. Sin. Dwlg	
23216		Exterior Home Improvement	5 Park Walk	Re-Roof	
23217		Sarah Ronchetti	13 Farmview Ct	Er. Shed	
23218		Forbes Homes, Inc.	12 Branch Way	Er. Dwlg.-Sin.	
23219		Sturdi Built Sheds LLC	22 Schiffler Ct	Er. Shed	
23222		Carl & Jennifer Trost	44 Park Blvd	Er. Res. Add.	(V/L)
23223		Seibold Construction Inc.	12 Briarwood Dr	Re-Roof	(V/L)
23224		Edward A Laurich	22 Deerpath Dr	Er. Fence	
23225		St. John Evangelical	55 Pleasant Ave	Re-Roof	(V/L)
23226		Daniel Kempf	1936 Como Park Blvd	Dem. Bldg	(V/L)
23227		Matthew & Denise Hout	29 Willow Ridge Ln	Re-Roof	
23228		Alice Davies	518 Harris Hill Rd	Re-Roof	
23229		James & Diane Snyder	58 Tomahawk Trl	Re-Roof	
23230		Manitoba Leasing Corp	122 Central Ave	Re-Roof	(V/L)
23231		Saleh-Smith Realty LLC	495 Harris Hill Rd	Re-Roof	
23232		K&K Development of Alden LLC	4 Summerfield Dr	Er. Dwlg.-Sin.	
23233		Mark & Denise Szymusiak	5671 Broadway	Er. Sign - Temp	
23234		Forbes Homes, Inc.	16 Branch Way	Er. Dwlg.-Sin.	
23235		5828 Broadway LLC	5828 Broadway	Er. Comm. Bldg.	
23236		5828 Broadway LLC	5828 Broadway	Er. Garage	
23237		Justin Enders	8 Caladium Ct	Re-Roof	
23238		Lorne Catalano	18 Sterling Pl	Er. Shed	
23239		Robert Sugg	80 Vandenberg Ave	Er. Garage	(V/L)

23240	Nicholas J Leibring	75 Pavement Rd	Er. Shed	
23241	Lancaster-Rehm Assocs LLC	6363 Transit Rd	Er. Sign - Wall	
23242	Russell Renovation WNY Inc.	1126 Ransom Rd	Er. Res. Add.	
23243	Timothy Schaefer	4 Clermont Ct	Er. Fence	
23244	The Kaz Company	40 Rollingwood Dr	Re-Roof	
23245	Jill A Raimonds	179 Aurora St	Re-Roof	(V/L)
23246	Jason Zeczak	16 Summit St	Re-Roof	
23247	WNY Home Doctor	61 Stony Brook Dr	Er. Res. Add.	
23248	Ronald & Kimberly Nowak	14 Greenbriar Dr	Er. Shed	

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 2, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Twin District Volunteer Fire Company, Inc., by letter
dated August 17, 2014, has requested the addition of the following member to the roster of
said fire association,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms
the addition to the membership of the Twin District Volunteer Fire Company the following
individual:

ADDITION:

Jerry Kania
Lancaster, NY

The question of the adoption of the foregoing resolution was duly put to a
vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 2, 2014

File: RFIRE (P5)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Fairway Hills Development, LLC, 2730 Transit Road, West Seneca, New York 14224 has petitioned the Town Board of the Town of Lancaster for the rezone of a parcel of land identified as **00 & 5425 William Street** which consists of the following SBL #s or portions thereof (116.19-1-68, 116.19-1-71.1, 127.00-4-1.11, 127.00-4-1.211, 116.19-1-4, 116.19-2-1 to 116-19-2-31 and 116.19-2-33 to 116-19-2-45) Lancaster, New York from an Agricultural Residential District (A-R) to Multifamily Residential District three (MFR-3), a legal description of area to be rezoned is as follows:

A-R to MFR-3

All THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie, State of New York, being part of Lots 62 and 65, Township 10, Range 6 of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at the intersection of the south boundary line of William Street (66.00 feet wide) and the east boundary line of Avian Way;

THENCE: N-89°-20’-54”-E, along the south boundary line of said William Street, a distance of 800.39 feet to the east line of Lot 65 and the west line of Lot 62;

THENCE: N-89°-07’-29”-E, continuing along the south boundary line of said William Street, a distance of 1766.95 feet to a point;

THENCE: through the lands conveyed to Fairway Hill Development LLC by deeds recorded in Liber 11085 of Deeds at page 6472 and Liber 11085 of Deeds at page 6478, the following eleven (11) courses and distances;

- 1) S-00°-52’-31”-E, a distance of 708.00 feet to a point;
- 2) S-76°-54’-53”-W, a distance of 452.00 feet to a point,
- 3) N-76°-29’-35”-W, a distance of 375.00 feet to a point,
- 4) N-67°-43’-14”-W, a distance of 435.00 feet to a point;
- 5) S-89°-32’-27”-W, a distance of 437.00 feet to a point,
- 6) S-59°-38’-58”-W, a distance of 51.00 feet to a point,
- 7) S-02°-51’-22”-W, a distance of 164.00 feet to a point,
- 8) S-39°-51’-22”-W, a distance of 77.00 feet to a point,
- 9) N-50°-08’-38”-W, a distance of 256.00 feet to a point,
- 10) S-88°-56’-38”-W, a distance of 293.61 feet to a point,
- 11) S-01°-01’-16”-E, a distance of 180.16 feet to a point on the northeasterly boundary line of Summerfield Farms Subdivision, Phase 3 as shown on Map Cover 3203;

THENCE: along the northeasterly boundary line of said Map Cover 3203
The following four (4) courses and distances;

- 1) N-44°-04’-44”-W, a distance of 249.31 feet to a point;
- 2) N-68°-00’-19”-E, a distance of 95.46 feet to a point,
- 3) N-64°-53’-16”-W, a distance of 281.57 feet to a point,
- 4) N-00°-39’-06”-W, a distance of 460.99 feet to the POINT or Place of BEGINNING, having an area of 38.55 acres of land more or less. and,

WHEREAS, the Petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and was approved at their July 16, 2014 meeting.

NOW, THEREFORE

BE IT RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of York a Public Hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 15th day of September, 2014, at 7:15 o'clock P.M., Local Time, and that Notice of the Time and Place of such Hearing be published in the local newspaper of general circulation in said Town and be on the Town Bulletin Board, and that Notice of such Hearing be referred to the Erie County Department of Planning, pursuant to Section 239 (m) of the General Municipal Law, which Notice shall be in form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 2, 2014

LEGAL NOTICE
REZONE-PUBLIC HEARING
00 & 5425 WILLIAM STREET
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on September 2, 2014, the said Town Board will hold a Public Hearing on the 15th day of September, 2014 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property from an Agricultural Residential District (A-R) to Multifamily Residential District Three (MFR-3) for the property known as **00 & 5425 William Street** which consists of the following SBL#s or portions thereof (116.19-1-68, 116.19-1-71.1,127.00-4-1.11,127.00-4-1.211, 116.19-1-4, 116.19-2-1 to 116-19-2-31 and 116.19-2-33 to 116-19-2-45) within the Town of Lancaster, New York.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE TOWN
OF LANCASTER**

BY: JOHANNA M. COLEMAN
Town Clerk

September 4, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AQUINO, TO WIT:

WHEREAS, the Town of Lancaster provides Year-Round Youth Development Programs to the residents within its geographical areas, and

WHEREAS, the Erie County Department of Social Services has awarded the Town of Lancaster a 2014 Youth Development Program award in the amount of \$20,814.00 for the period of January 1, 2014 through December 31, 2014, and

WHEREAS, John Trojanowsky, Youth Bureau Executive Director, has obtained all documents required by the County to secure the funding for the 2014 operation of the Town of Lancaster’s Year-Round Youth Development Program except for the executed 2014 Youth Agreement;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute the 2014 Youth Agreement to secure the NYS Office of Children and Family Services funds from the Erie County Department of Social Services for the operation of the Town of Lancaster’s 2014 Youth Development Program commencing January 1, 2014 and continuing through December 31, 2014.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 2, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the New York State Liquor Authority requires that an establishment notify the Municipality in which they operate of an application for a liquor license thirty (30) days before it can be considered, and

WHEREAS, Hummingbird Honeys, LLC, dba Painting With a Twist, 6363 Transit Road, Suite 550, Depew, New York by letter filed on August 26, 2014 with the Town Clerk of the Town of Lancaster has indicated intent to apply for a liquor license with the New York State Liquor Authority, and

WHEREAS, Hummingbird Honeys, LLC, dba Painting With a Twist, 6363 Transit Road, Suite 550, Depew, New York has requested that the thirty (30) day statutory notification to the Town of Lancaster of an application for a liquor license to the New York State Liquor Authority be waived, and

WHEREAS, this waiver can only be granted by the Governing Board of the Town in which the premises is located.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk is authorized to notify the State Liquor Authority that required notification was received by the Town Clerk on August 26, 2014, and

BE IT FURTHER

RESOLVED, that the Town Board hereby waives the thirty (30) day notification requirement.

BE IT FURTHER

RESOLVED, that the Town Clerk provide the applicant a certified copy of this resolution waiving the thirty (30) day notification requirement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AQUINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the developer has requested the Town Board of the Town of Lancaster accept completed Public Improvements within Cross Creek Subdivision, Phase V, within the Town of Lancaster, and

WHEREAS, the Town Engineer by letter to the Town Clerk dated August 26, 2014 has inspected the improvements and has recommended the approval thereof, and

WHEREAS, the Town Attorney, by letter to the Town Clerk dated August 26, 2014 has reported his favorable review for the acceptance of these public improvements.

NOW, THEREFORE, BE IT

RESOLVED, that completed Public Improvements No. 725 - Pavement & Curbs, No. 726 - Storm Sewers, and No. 727 - Water Line, within Cross Creek Subdivision, Phase V, be and are hereby approved and accepted by the Town Board of the Town of Lancaster, and

BE IT FURTHER

RESOLVED, that the Town of Lancaster, under the Lease Management Agreement with the Erie County Water Authority, shall commence payment for the additional fire hydrants authorized for this subdivision with the next billing cycle, and

BE IT FURTHER

RESOLVED, that the Town Attorney is directed to attend to filing the deed causing the dedication of the road(s) to the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 2, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services has awarded the Town of Lancaster Youth Bureau, under the direction of the Drug Abuse Prevention Council a grant for the period January 1, 2014 through November 1, 2014 in the amount of \$3,294.00 to fund the operation of a substance abuse prevention program, and

WHEREAS, the Town Board has previously authorized entering into a Memorandum of Understanding between the Town of Lancaster Youth Bureau and WNY United Against Drug & Alcohol Abuse, Inc. for use of New York State Office of Alcoholism and Substance Abuse Services funds, and

WHEREAS, the Town Board deems it in the public interest to collaborate with WNY United Against Drug & Alcohol Abuse, Inc. to provide services designed to reduce the frequency and severity of youth alcohol and substance abuse in the Town of Lancaster;

NOW THEREFORE, BE IT

RESOLVED, that Dino J. Fudoli, Supervisor of the Town of Lancaster, is hereby authorized to execute a Memorandum of Understanding between the Town of Lancaster Youth Bureau and WNY United Against Drug & Alcohol Abuse, Inc, for use of the New York State Office of Alcoholism and Substance Abuse Services’ funds in the amount of \$3,294.00 to continue operation of a substance abuse prevention program through the Town of Lancaster Youth Bureau.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 2, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AQUINO, TO WIT:

WHEREAS, the Town Board is considering the Rezone of 00 & 5425 William Street which consists of the following SBL#s or portions thereof (116.19-1-68, 116.19-1-71.1, 127.00-4-1.11, 127.00-4-1.211, 116.19-1-4, 116.19-2-1 to 116-19-2-31 and 116.19-2-33 to 116-19-2-45) from Agricultural Residential District (A-R) to Multifamily Residential District three (MFR-3) located within the Town of Lancaster and submitted by Fairway Hills Development, LLC, and

WHEREAS, the Town of Lancaster Municipal Review Committee has reviewed environmental impact of this rezone project pursuant to SEQR regulations at their meeting on August 18, 2014 and recommended that a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the Rezone, the Long Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act ("SEQRA") regulations, and such other information deemed appropriate, including the recommendation of the Municipal Review Committee; and

WHEREAS, the Town Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination; and

WHEREAS, the proposed action has been labeled a "Type 1" action under SEQRA.

NOW, THEREFORE,

BE IT RESOLVED by the Town Board of the Town of Lancaster that:

1. The proposed Rezone of 00 & 5425 William Street which consists of the following SBL#s or portions thereof (116.19-1-68, 116.19-1-71.1, 127.00-4-1.11, 127.00-4-1.211, 116.19-1-4, 116.19-2-1 to 116-19-2-31 and 116.19-2-33 to 116-19-2-45) from Agricultural Residential District (A-R) to Multifamily Residential District three (MFR-3) submitted by Fairway Hills Development, LLC will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein.

2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.

3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.

4. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 2, 2014

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: September 2, 2014

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Lancaster Town Board (the “Town Board”), has reviewed the proposed Rezone of 00 & 5425 William Street which consists of the following SBL#s or portions thereof (116.19-1-68, 116.19-1-71.1, 127.00-4-1.11, 127.00-4-1.211, 116.19-1-4, 116.19-2-1 to 116-19-2-31 and 116.19-2-33 to 116-19-2-45) from Agricultural Residential District (A-R) to Multifamily Residential District three (MFR-3) located within the Town of Lancaster and submitted by Fairway Hills Development, LLC. The Town Board has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Summerfield Farms Subdivision

Location of Action: 00 & 5425 William Street which consists of the following SBL#s or portions thereof (116.19-1-68, 116.19-1-71.1, 127.00-4-1.11, 127.00-4-1.211, 116.19-1-4, 116.19-2-1 to 116-19-2-31 and 116.19-2-33 to 116-19-2-45), Lancaster, New York.

SEQR Status: Type 1 Action.

Description of Action: located on the south side of William Street, east of Avian Way and west of Schwartz Road. It will be a rezoning of the subject property from AR (Agricultural Residential) to MFR-3 (Multi-Family Residential 3). The area to be rezoned is 38.5± acres of the overall 53.4± acres in the proposed development. The remaining acreage will not be developed since it is part of NYSDEC wetland LA-17. The rezoning as proposed, would allow a denser patio style home to be constructed on private roads. As currently proposed, the development would consist of 112 dwelling units.

Reasons Supporting this Determination: Potential environmental impacts associated with the Project were identified in the Environmental Assessment Form. The Town analyzed the project under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below based on each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

1. Impact on land

- A small impact is noted as this project will continue for more than one year and involve multiple phases.

2. Impact on Geological Features

3. Impacts on Surface Water

4. Impact on Groundwater

5. Impact on Flooding

6. Impact on Air

- 7. **Impact on Plants and Animals**
- 8. **Impact on Agricultural Resources**
- 9. **Impact on Aesthetic Resources**
- 10. **Impact on Historic and Archeological Resources**
- 11. **Impact on Open Space and Recreation**
- 12. **Impact on Critical Environmental Areas**
 - The Town of Lancaster has not established a Critical Environmental Area (CEA).
- 13. **Impact on Transportation**
- 14. **Impact on Energy**
- 15. **Impact on Noise, Odor and Light**
- 16. **Impact on Human Health**
 - It is noted that this project is restricted to construction of patio homes.
- 17. **Consistency with Community Plans**
- 18. **Consistency with Community Character**
 - There may be additional demand for police and fire services as a result of this project.

For Further Information:

Contact Person:	John M. Dudziak, Town Attorney
	Town of Lancaster
Address:	21 Central Avenue
	Lancaster, New York 14086
Telephone Number:	(716) 684-3342

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, Meals on Wheels for Western New York, Inc. currently has an Site Agreement on file to use the Town of Lancaster’s Senior Center to provide home delivered meals to residents in the community, and

WHEREAS, to comply with state regulations, Meals on Wheels for Western New York, Inc. has updated said Site Agreement for all its locations, and

WHEREAS, the Town Attorney has reviewed said Agreement and has no objection thereto;

**NOW, THEREFORE, BE IT
RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to enter into an updated Site Agreement with Meals on Wheels for Western New York, Inc. to provide the continuation of home delivered meals to residents in the community in accordance with the terms outlined therein.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 2, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Supervisor of the Town of Lancaster, by letter dated August 22, 2014, has requested the appointment of one (1) Assistant Dog Control Officer, part-time temporary seasonal to work in the Dog Control Office, to conduct a Town-wide dog census.

NOW, THEREFORE, BE IT

RESOLVED, that the following individual is hereby appointed to the position of Assistant Dog Control Officer, part-time temporary seasonal, for a period not to exceed five (5) months, in the Dog Control Office, and that this being a part-time position provides no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary seasonal employees:

<u>NAME</u>	<u>PAY RATE/HR.</u>	<u>EFFECTIVE DATE</u>
Vinessa Nola Depew, NY	\$8.00	August 28, 2014

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 2, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AQUINO, TO WIT:

WHEREAS, Lewis Pacanowski, by letter dated August 27, 2014 has recommended the appointment of one (1) individual to the position of Dog Control Officer, part-time permanent, to fill a vacancy that exists in the Dog Control Office.

NOW, THEREFORE, BE IT

RESOLVED, that effective immediately, the following individual be and is hereby appointed to the position of Dog Control Officer, part-time permanent, working not more than nineteen and three-quarter hours per week:

NAME

Michael Dohn
Lancaster, NY

BE IT FURTHER,

RESOLVED, that the above individual shall be compensated according to the following compensation structure that was approved by the Town Board of the Town of Lancaster on February 3, 2014 (a) at a rate of \$50 for each 24-hour period (pro-rated for any portion thereof) that he or she is on on-call status, as directed by the Town, or (b) at the legally-required minimum wage rate, whichever is greater, and

BE IT FURTHER,

RESOLVED, that this being a part-time position, provides no health insurance, sick days, vacation, or other fringe benefits not specifically mandated for part-time employees, and

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized and directed to take all necessary actions to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 2, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AQUINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, RJF Development, 4430 Walden Avenue, Lancaster, New York 14086 has applied to the Town Board of the Town of Lancaster for permits for Public Improvements upon real property in the Town of Lancaster within Cross Creek Subdivision, Phase VI, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit applications that he has reviewed the improvement plans and permit applications for the installation of the public improvements requested, and that they conform to the Ordinances of the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application Nos. 732, 733 and 734 of RJF Development, 4430 Walden Avenue, Lancaster, New York 14086 which are permits for Public Improvements for the installation of:

P.I.P. No. 732 (Pavement & Curb)	The Cross Creek Subdivision, Phase VI, Install 2,360 LF of upright curb. All 6" underdrain with 2 tees per lot. Construct 35,250 SF of 12", 4", 2 ½ " and 1 ½ " pavement.
P.I.P. No.733 (Storm Sewer)	The Cross Creek Subdivision, Phase VI, Install 3,954 LF of various sizes H.D.P.E., 6 manholes, 7 road receivers, 14 light duty receivers, 11 backyard drains, 6 field inlets (Pleasant View) and 8 receivers (Pleasant View & Pavement).
P.I.P. No. 734 (Water Line)	The Cross Creek Subdivision, Phase VI, Install 1,255 LF of 8" waterline, 3 8" gate valves, 2 hydrants, 1 blowoff, 1 road bore and 1 12" X 8" tapping sleeve & valve.

be and are hereby authorized.

NOW THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster agrees to commit to pay the Erie County Water Authority's annual fire hydrant maintenance fee for two (2) fire hydrants within Cross Creek Subdivision, Phase VI, once the hydrant is installed, tested, approved and placed in service.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 2, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Board is considering the sale of Town owned property located at 321 Columbia Avenue which consists of a 6,669+/- square foot building area situated on 1.98 ± acres of land in the Village of Depew, within the Town of Lancaster, and

WHEREAS, the Town of Lancaster Municipal Review Committee has reviewed the environmental impact of this construction project pursuant to SEQR regulations at their meeting on August 18, 2014 and recommended that a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the building, the short Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act (“SEQRA”) regulations, and such other information deemed appropriate, including the recommendation of the Municipal Review Committee; and

WHEREAS, the Town Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination; and

WHEREAS, the proposed action has been labeled an “Unlisted” action under SEQRA.

NOW, THEREFORE,
BE IT RESOLVED by the Town Board of the Town of Lancaster that:

1. This project, described as the sale of a 6,669 +/- square foot building situated on 1.98+/- acres of land located at 321 Columbia Avenue in the Village of Depew within the Town of Lancaster, will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein.
2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
4. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 2, 2014

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: September 2, 2014

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Lancaster Town Board (the “Town Board”), has reviewed the proposed 6,669 +/- square foot building situated on 1.98+/- acres of land located at 321 Columbia Avenue in the Village of Depew within the Town of Lancaster. The Town Board has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: The Sale of Town of Lancaster Depew Library

Location of Action: 321 Columbia Avenue, Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted.

Description of Action: the sale of Town owned former Depew Library

Reasons Supporting this Determination: Potential environmental impacts associated with the Project were identified in the Environmental Assessment Form. The Town analyzed the project under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below based on each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment. The site is currently zoned for use as a place of worship. There will be no additional construction to the outside of the building as it will be used in the same intensity as the library was previously.

1. The proposed action will not create a material conflict with an adopted land use plan or zoning regulations.
2. The proposed action will not result in a change in the use or intensity of use of land.
3. The proposed action will not impair the character or quality of the existing community.
4. The Town of Lancaster has not established a Critical Environmental Area (CEA).
5. The proposed action will not result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway.

6. The proposed action will not cause an increase in the use of energy or fail to incorporate reasonably available energy conservation or renewable energy opportunities.
7. The proposed action will not impact existing public/private water supplies or public/private wastewater treatment utilities.
8. The proposed action will not impair the character or quality of important historic, archaeological, architectural or aesthetic resources.
9. The proposed action will not result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna).
10. The proposed action will not result in an increase in the potential for erosion, flooding or drainage problems.
11. The proposed action will not create a hazard to environmental resources or human health.

For Further Information:

Contact Person:	John M. Dudziak, Town Attorney Town of Lancaster
Address:	21 Central Avenue Lancaster, New York 14086
Telephone Number:	(716) 684-3342

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, through the efforts of State Senator Patrick Gallivan, \$50,000 in grant monies is available from the Dormitory Authority State of New York through the State and Municipal Facilities Program (SAM) to assist with construction of a Highway Department Storage Facility, and

WHEREAS, the Town Board deems use of these funds to be in the public interest;

NOW, THEREFORE

BE IT RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the Dormitory Authority for the State of New York for the purpose of securing this grant, and

BE IT FURTHER

RESOLVED, that the Supervisor and Director of Administration and Finance be and hereby are authorized and directed to execute all documents pertaining to the application and to the acquisition of said funding.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 2, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the General Crew Chief Terrence McCracken, by letter dated August 28, 2014, has requested appointments to the position of Lifeguard, part-time permanent in the Parks, Recreation and Forestry Department of the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and are hereby appointed to the position of Lifeguard, part-time permanent in the Parks, Recreation and Forestry Department, working not more than nineteen and three-quarter hours per week, effective September 2, 2014, and that these being part-time positions, provide no health insurance, sick days, vacation, or other fringe benefits not specifically mandated for part-time employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE/HR.</u>
Kristyn Wind (rehire) Lancaster, NY	Lifeguard (Pool Director)	\$15.00
Jennifer Kennedy (rehire) Clarence Center, NY	Lifeguard (Supervisor)	\$11.50
Erin Weigand (rehire) Lancaster, NY	Lifeguard (Supervisor)	\$11.75
Michael Emerson (rehire) Lancaster, NY	Lifeguard	\$11.25
Jacob Ernst (rehire) Lancaster, NY	Lifeguard	\$ 9.00
Corinne Glauber (rehire) Lancaster, NY	Lifeguard	\$ 9.00
Emily Grucella (rehire) Lancaster, NY	Lifeguard	\$11.00
Ryan McHale (rehire) Lancaster, NY	Lifeguard	\$ 9.50
Allison Swatsworth (rehire) Lancaster, NY	Lifeguard	\$11.00
Emily Bassett (rehire) Lancaster, NY	Lifeguard (Substitute)	\$ 9.00
Sean Gorenflo (rehire) Lancaster, NY	Lifeguard (Substitute)	\$ 9.00
Kirstin Heffler (rehire) Lancaster, NY	Lifeguard (Substitute)	\$ 9.00
Bryan Krajewski (rehire) Lancaster, NY	Lifeguard (Substitute)	\$10.50

Allyson Kucewicz (rehire) Lancaster, NY	Lifeguard (Substitute)	\$ 9.50
Jesse Kucewicz (rehire) Lancaster, NY	Lifeguard (Substitute)	\$ 9.00
Jacob Loecher (rehire) Lancaster, NY	Lifeguard (Substitute)	\$ 9.00
Jordan Manley (rehire) Lancaster, NY	Lifeguard (Substitute)	\$11.00
Danielle Martzolf (rehire) Lancaster, NY	Lifeguard (Substitute)	\$ 9.00
Eric Mruk (rehire) Lancaster, NY	Lifeguard (Substitute)	\$ 9.50
Daniel Rudz (rehire) Lancaster, NY	Lifeguard (Substitute)	\$ 9.00
Dana Santasiero (rehire) Lancaster, NY	Lifeguard (Substitute)	\$ 9.50
Joelle Sawyer (rehire) Lancaster, NY	Lifeguard (Substitute)	\$ 9.50
Chelsea Saxe (rehire) Lancaster, NY	Lifeguard (Substitute)	\$10.00
Erin Sullivan (rehire) Lancaster, NY	Lifeguard (Substitute)	\$ 9.00
Samantha Wozniak (rehire) Lancaster, NY	Lifeguard (Substitute)	\$ 9.50

BE IT FURTHER,
RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 2, 2014

SUSPENDED RESOLUTION:

Supervisor Fudoli requested a suspension of the necessary rules for immediate consideration of the following resolution:

UPON A MOTION DULY MADE BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER AQUINO AND CARRIED, a suspension was granted.

SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, there is a vacancy in the title of General Crew Chief for the Town’s Parks, Recreation and Forestry Department (the “Department”), and the Town Board is currently evaluating various options in terms of permanent supervision over the Department; and

WHEREAS, in order to ensure that there is effective oversight of the Department in the short term while the Town Board continues its consideration of the Department’s long-term supervision, the Town Board has determined that it will assign Mark Lubera, who is currently a Laborer in the Department, to provide short-term Department oversight on a temporary basis, and Mr. Lubera and the CSEA White Collar Unit have consented to such assignment.

NOW, THEREFORE, BE IT

RESOLVED, that the Lancaster Town Board hereby approves the assignment of Mark Lubera to provide general oversight over the Department on a temporary basis, and approves, as presented, the agreement with Mr. Lubera and the CSEA White Collar Unit to implement the same; and

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 2, 2014

COMMUNICATIONS & REPORTS

- 493. Town Attorney to Town Board and Planning Board –
SEQR response from NYSDEC regarding rezone Summerfield Farms Subdivision (formerly Fairway Hills) from AR to MRF-3. Disposition = Planning Committee**
- 494. Twin District Volunteer Fire Co. to Town Clerk –
Request for change in roster. Disposition = Resolution 9/2/14**
- 495. Amy MacPeck, Lancaster Town Band, Inc. to Supervisor and Town Board –
Thank you to Town Board, Terry McCracken & staff and John Trojanowsky & staff for support for this year's concert series. Disposition = Received & Filed**
- 496. Town Clerk to Various News Media –
Notice of rescheduled Town Board Meeting to be held on Tuesday, Sept. 2, 2014. Disposition = Received & Filed**
- 497. Supervisor to Town Board –
Notice of resignation of Terrence McCracken, General Crew Chief of the Parks, Recreation and Forestry Department effective Sept. 2, 2014 (letter attached), and information regarding job posting for this position. Disposition = Received & Filed**
- 498. Iroquois Central School District to Town Clerk –
Certification of the Iroquois CSD School Tax Rate for the Town of Lancaster. Disposition = Received & Filed**
- 499. VA Health Care to Supervisor –
Notice of Veterans Town Hall Meeting at Freedom Hall, 3494 Bailey Ave., Buffalo, NY on Friday, Sept. 5, 2014. Disposition = Received & Filed**
- 500. Erie County Division of Planning to Town Clerk –
Reply to Municipality regarding Rezone from RCO to CMS for vehicle staging area for 0 Genesee Street, SBL#82.04-1-12. Disposition = Planning Committee**
- 501. Erie County Division of Planning to Town Clerk –
Reply to Municipality regarding Rezone from AR to MFR-3 for 0 & 5425 William Street. Disposition = Planning Committee**
- 502. Supervisor to Town Board –
Recommendation of one individual to the position of Assistant Dog Control Officer, part-time temporary seasonal. Disposition = Resolution 9/2/14**
- 503. Village of Lancaster to Town Board –
Minutes from regular meeting held on August 11, 2014. Disposition = Received & Filed**
- 504. Lee Chowanec to Erie County Dept. of Public Works –
Comments on overburdened transportation system in the Town of Lancaster and petition to the County to refuse the permitting of two curb cuts to construct Harris Hill project driveways until some traffic control mechanism can be incorporated to alleviate increased traffic. Disposition = Received & Filed**
- 505. NYS Assemblyman David DiPietro to Town Clerk –
Notice of receipt of resolution passed on August 4, 2014 asking New York State DEC to revoke/deny any permit granted or under consideration Quasar Energy Group allowing "Equate" to be spread on farmland within Erie, Wyoming or Niagara Counties. Disposition = Received & Filed**
- 506. Hummingbird Honey, LLC/Painting with a Twist to Supervisor –
Notification to apply for NYS Bottle Club License and request for waiver of 30-day notice for liquor license. Disposition = Resolution 9/2/14**

- 507. Secretary to the Supervisor to Deputy Town Clerk --
Notification that Supervisor will sponsor resolution for 30-day waiver for the liquor license for Painting with a Twist. Disposition = Received & Filed**
- 508. Carmen Ciccarelli to Town Board –
Request to be considered for the position of General Crew Chief for the Town of Lancaster Parks and Recreation Department. Disposition = Received & Filed**
- 509. Town Engineer to Town Board –
Recommend acceptance of PIP#725 (Pavement & Curbs), PIP#726 (Storm Sewer) and PIP#727 (Water Line) for Cross Creek Subdivision - Phase 5.
Disposition = Resolution 9/2/14**
- 510. Town Attorney to Town Clerk –
Transmittal of Maintenance Bonds for the Pavement and Curb, Storm Sewer and Water Line public improvement for the Cross Creek Subdivision - Phase 5.
Disposition = Resolution 9/2/14**
- 511. Lewis Pacanowski, Dog Control Officer to Town Board –
Recommend appointment of one individual to the position of Dog Control Officer, part-time permanent. Disposition = Resolution 9/2/14**
- 512. Erie County Dept. of Environment & Planning to Erie County Community Development – Consortium –
Community Development Block Grant Report (Cumulative) 4/01/14 – 6/30/14.
Disposition = Received & Filed**
- 513. Thomas Dearing, Deputy Commissioner Erie County to Supervisor –
Information regarding three important community planning processes that have been initiated in Erie County. Disposition = Received & Filed**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER ABRAHAM AND SECONDED BY
COUNCIL MEMBER RUFFINO AND CARRIED,** the meeting was adjourned in memory
of Shirley Martin and Kathleen Francis-Schaefer at 9:10 P.M.

Signed _____
Johanna M. Coleman, Town Clerk